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SWAY MANAGEMENT, LLC; STARWOOD
WAYPOINT RESIDENTIAL TRUST;
WAYPOINT REAL ESTATE GROUP; and
WAYPOINT HOMES, INC., a California
Corporation

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

TYSELLCROUSE, INC. a Delaware
Corporation,

Plaintiff,

v.

SWAY MANAGEMENT, LLC, a Delaware
Limited Liability Company; STARWOOD
WAYPOINT RESIDENTIAL TRUST, a
Maryland Corporation; WAYPOINT REAL
ESTATE GROUP, A California Limited
Liability Company; and WAYPOINT
HOMES, INC., a California Corporation;

Defendants.

CASE NO. 15-cv-03832-RS

Jury Trial Demanded

**JOINT STIPULATION AND
~~PROPOSED~~ ORDER RE NEW TRIAL
DATE**

1 Trial in this matter was initially set for December 5, 2016. As a result of the year long
2 military deployment of Defendants' primary witness, Richard Rodriguez, that initial trial date
3 was continued until March 19, 2018. On February 9, 2018, due to another military deployment
4 of Mr. Rodriguez, (scheduled for March 15-23, 2018), the Court vacated the March 19, 2018 trial
5 date, and requested that the Parties submit potential new trial dates that they would be available
6 for in August and September of 2018. Pursuant to the direction by the Court, the Parties submit
7 the following dates that they are available for trial during the months of August:

8 1. August 13, 2018- August 17, 2018 - Jury selection/Trial at 9:00 am

9 ~~2. August 20, 2018- August 25, 2018 - July 19, 2018 at 10:00 am for Pretrial Conference~~

10 Due to another trial that Plaintiff's counsel currently has set to start on August 27, 2018 (also in
11 the United States Northern District), Plaintiff would prefer the August 13, 2018 trial date if
12 possible.

13 Due to other previously scheduled trials, and significant pre-planned personal
14 commitments, there are no dates in September that Plaintiff and its counsel are available. If none
15 of the August dates listed above are available on the Court's calendar, at the Court's request, the
16 Parties can submit potential dates in October and November that they would be available.

17
18 Respectfully Submitted:

19 Dated: February 22, 2018

LUBIN OLSON & NIEWIADOMSKI LLP

20
21 /s/ Ellen A. Cirangle

22 ELLEN A. CIRANGLE

23 Attorneys for Defendants and Counterclaimants

24 SWAY MANAGEMENT, LLC;

STARWOOD WAYPOINT RESIDENTIAL TRUST;

25 WAYPOINT REAL ESTATE GROUP, LLC; and

26 WAYPOINT HOMES, INC.
27
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1
2 Dated: February 22, 2018

BROWN, GEE & WENGER LLP

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4 /s/ Katherine F. Wenger

KATHERINE F. WENGER

Attorneys for Plaintiff

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ATTESTATION PURSUANT TO CIVIL LOCAL RULE 5-1

Pursuant to Civil L.R. 5-1(i)(3) regarding signatures, Katherine F. Wenger hereby attests that concurrence in the filing of this document has been obtained from each of the other signatories.

Dated: February 22, 2018

/s/ Katherine F. Wenger

Katherine F. Wenger

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~~[PROPOSED]~~ ORDER

Pursuant to the Stipulation, it is **ORDERED** that:

Dated: February 26, 2018

By:



RICHARD SEEBORG
United State District Judge